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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fifth session

SUMMARY RECORD OF THE 664th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 3 October 2000, at 3 p.m.

Chairperson: Ms. OUEDRAOGO

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GE.00-44827 (E)

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of the Slovak Republic [CRC/C/11/Add.17; CRC/C/Q/SLO/1 (list of issues); written reply of the Slovak Republic to the questions of the Committee (document without symbol distributed at the meeting in English only)] (continued)

1. At the invitation of the Chairperson, the delegation of the Slovak Republic resumed their places at the Committee table.

2. Ms. TIGERSTEDT-TÄHTELÄ asked how much of the budget was assigned to education and how the best interests of the child were taken into consideration in all decisions concerning children, particularly with regard to leisure, culture, information, education, health and social welfare. In that respect, it would be useful to know what measures were being taken to allow children to express their opinions freely on all matters that concerned them and to be heard in any judicial or administrative proceeding relating to their interests.

3. It would appear to be difficult to implement a policy with regard to the Roma without knowing how many there were. According to different sources, they numbered anywhere between 80,000 and 600,000. It would be interesting to know the exact number and whether it was true that the police kept records on the Roma community. Could the delegation provide further information on the application of paragraph 3 of article 12 of the Constitution, whereby every individual had the right to decide freely to which national group he wished to belong and any pressure aimed at influencing that decision or repressing another person's sense of ethnic identity was prohibited?

4. Ms. RILANTONO was surprised that children who spoke little Slovak were placed in special classes with children suffering from psychological disorders, whereas they could be given intensive remedial classes and be admitted to regular classes. It would be useful to know whether there were any schools where classes were taught in the Roma language.

5. With regard to alternative care, the Slovak delegation might provide information on the mechanisms for the periodic control of placement in institutions, and indicate whether measures had been taken to reduce the number of children placed in institutions and to develop placement in families.

6. Regarding health, it would be useful to know whether the Government had a policy of encouraging breastfeeding, whether it had envisaged adopting the International Code of Marketing of Breastmilk Substitutes, and what measures it was taking to encourage women not to resort to abortion and to provide adolescents with reproductive health education.

7. Mr. FULCI asked whether the Government had considered withdrawing the reservation to article 7 of the Convention expressed by the former Czechoslovakia, whether the Convention had even been invoked before the courts, whether school children knew their rights under the Convention and whether its provisions were taught in school.

8. Mr. DOEK requested further information on the concrete measures, other than financial ones, taken to strengthen the family and help parents assume their responsibilities. In the case of alternative care, the written replies indicated that the Government preferred placing children with foster families rather than in institutions and explained that children were placed either in "professional substitute families" or in "independent groups". The delegation should explain what those two expressions signified. It should also explain whether all foster families received the contributions mentioned in the written replies, what the amount was received by the foster families, and how payment was made. It would also be useful to know what measures had been taken to reduce the size of institutions for children, how institutions for children operated by religious organizations were financed, who decided that a child could leave an institution and return to its family and what the meaning was of the expression "ruled institutional education" that appeared in the title of table 3 of the written replies. Lastly, the delegation should explain why that table referred to persons under 25 years of age rather than to children under 18 years of age.

9. Ms. KARP asked why only children of 15 years of age or more could take part in the children's parliament and be delegates to a school council, whether teachers received training that allowed them to teach ethics properly and whether that subject, which was compulsory even at the primary level, covered the rights of the child.

10. The delegation might indicate whether family legislation had been amended in line with the Convention, particularly with regard to the prohibition of corporal punishment. Had there been any information campaigns to convince parents to avoid that practice?

11. What measures had been taken to help adolescents, particularly Roma, who had grown up in children's institutions, to find work and accommodation and, in general, fit into society on leaving the institution. It would also be interesting to know the role played by Roma children in the parliament representing children placed in institutions and, in particular, whether they ever raised special issues. What did the local authorities do to encourage tolerance and combat racism and what was the status of the plan of action drawn up the previous year in Bratislava by a working group? Lastly, were street children, who appeared to be a new phenomenon, treated as deviants or even delinquents and what steps was the Government taking to improve their conditions?

12. Ms. MOKHUANE said that placing children with learning difficulties in "special schools" was risky, because even if some children, on account of their background, had difficulty following the typical school curriculum, relegating them to such establishments made it difficult at a later date to bring them into normal schooling. She also wished to know whether there was some system for assessing the progress of such children on a yearly basis.

13. Complaints about racial violence rarely led to a conviction, which suggested that public prosecutors were reluctant to bring charges in such cases and tended to shelve them. Moreover, most of the time individuals convicted for incitement to racial hatred or for racist acts were released on parole. The Committee would appreciate further information on that point.

14. With regard to the family environment, the Committee had observed that, in the countries of the former Communist bloc, parents tended to leave the responsibility of educating their children to the State system. Had the Slovak Republic taken any measures to encourage parents to educate their children themselves within the family? Was there a system that allowed for a regular review of decisions on placement in institutions? Had the budget allocated to institutions where children were placed really been halved? If so, what sort of living conditions did children in institutions enjoy?

15. Mr. RABAH inquired whether the Slovak Human Rights Centre was totally independent of the State, and whether children's proposals had effectively been considered at the September 1999 session of the children's parliament, which had been created to encourage the involvement of children in the management of their own institutions. With regard to education, no school drop-out rate had been provided; was that a problem in the country and, if so, what were the causes? It would be useful to have some statistics, disaggregated by sex, and to know how much a teacher earned and the amount of the minimum wage in Slovak Republic.

16. The CHAIRPERSON asked what measures had been taken by the Slovak Republic to avoid children stopping their studies before the end of compulsory schooling and whether there was any system of monitoring. The Slovak Republic had stated that access to education was guaranteed for all children. How had the country managed to attain that result? According to the law on education, children with learning difficulties could not be left out of the system. What happened to children experiencing school failure. In particular, what had been done to persuade the Roma population, who were often reluctant to fit into society, to accept the educational integration programmes.

17. Had the Slovak Republic concluded agreements with any other countries to arrange for the return of Slovak children who had been illegally taken to other countries or of children from other countries who had been illegally brought into the country? What protection did the country offer such children?

18. Ms. EL GUINDI asked about the relationship between the Deputy Prime Minister, responsible for human rights, and the Slovak Committee on the Rights of the Child. In view of the high rates of abortion among adolescents and of divorce, she wished to know whether a plan of action had been implemented to reverse those trends.

The meeting was suspended at 4 p.m. and resumed at 4.10 p.m.

19. Mr. PETOCZ (Slovak Republic) said that, to the best of his knowledge, the former Czechoslovakia had not expressed a reservation to article 7 of the Convention but that further information would be provided in writing when the matter had been verified.

20. Ms. BAUER (Slovak Republic) said that education was entirely free from primary school to university. The Government was currently considering the possibility of making students pay a contribution towards educational expenses, but that plan had not yet gone ahead. Teachers earned 4,000 Slovak koruny a month, compared with the monthly wage of a workman, which was 10,000 koruny. Wages should increase by 4 per cent in the coming year, but teachers would receive a 7 per cent increase.

21. The ratification of ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour had not presented a problem, because Slovak legislation already ensured such protection to children.

22. The Slovak Committee on the Rights of the Child, which had been established in June 2000 and was attached to the Ministry of Labour, Social Affairs and the Family, was the governmental body responsible for coordinating all questions relating to respect for and protection of the rights of the child.

23. There were about 20 to 30 per cent Roma children in the children's parliament, which showed that the Government's integration policy was bearing fruit. With that new system, children had the opportunity to take an active part in improving living conditions in their homes and institutions. The budget allocated to such institutions had not been halved; it had been adjusted in the light of deflation. Religious institutions that took in children received a minimum financial contribution from the State and 80 per cent of their funding came from external sources.

24. There were few street children in the Slovak Republic; that could be explained by the decrease in the birth rate and by the culture of the country, which had always given a special place to children. The Family Code was slowly being revised and the delay was certainly regrettable.

25. Mr. GURAN (Slovak Republic) said that the annual budget of the Slovak Human Rights Centre was about 5 million Slovak koruny and it had a staff of 10. The Centre's independence was guaranteed. Although it had to transmit information to Parliament and to the Government, it was in no way subject to their control and its governing board was composed of human rights experts, academics and scientists.

26. The May 2001 census would provide more information on the country's Roma minority. Judging from the experience of other countries, the Roma appeared to claim the nationality of the country in which they resided, even while continuing to assert their membership of that national group in the hope of seeing an improvement in their living conditions.

27. In accordance with the Programme of Action of the International Conference on Population and Development, held in Cairo, in 1994, the Slovak Republic gave great importance to family planning and abortion was not considered the best method of birth control. In the past, the abortion rate had been high but the trend appeared to have been reversed since the end of the 1990s. The change could be ascribed to teacher training programmes, courses on sex education in schools and also the family planning centres established in collaboration with international agencies. The State subsidized all family planning and family assistance services.

28. Breastfeeding was encouraged, particularly in the context of the "Baby-friendly Hospitals" initiative, established by UNICEF. During their stay in hospital, young mothers were also taught how to care for their babies and family planning methods. Recently, a pilot project had been launched more specifically for the Roma community.

29. Every family in which a child was placed received financial support, in the form of remuneration or a grant. There were several types of foster families. In some, the parents were in a sense employed by the institution, which entrusted them with the care of the children and paid them a salary. Others depended directly on the Ministry of Social Affairs and received financial assistance from the State. The grants could be in the form of a single contribution for each child to cover its essential needs or a global amount paid to the foster parents, generally on a monthly basis.

30. The size of children's institutions varied according to how they were structured. In order to guarantee suitable conditions for the development of the child and its future integration into society, a new system had been introduced, which consisted in making up independent groups of 8 to 10 children who, under the supervision of adults, lived in specially equipped apartments. The children received money and had to manage their daily lives themselves, prepare their own meals, and carry out the cleaning and maintenance. In that way, they learned to take care of themselves and were better prepared for life. To date, children placed in such groups had always managed to find employment or to continue their studies when they came of age. On the other hand, they had more difficulty finding accommodation. If by the age of 18 they were unable to find employment or had not been called up for military service, they could remain in the institution until they were 25. Generally, the directors of the establishments determined the conditions under which children were placed. Sometimes they provided children with a separate small house with a garden and used any external assistance that could be provided. Non-governmental organizations (NGOs) played an important role with children who had to be placed, particularly by helping them to prepare for their future integration into society.

31. With regard to children who had been abducted or illegally displaced, the Slovak Republic had signed 147 extradition agreements and had ratified the Hague Convention on the Civil Aspects of International Child Abduction. It was, therefore, in a position to cooperate with the authorities of other countries regarding the repatriation or return of abducted children. There was also a centre for the legal protection of the child, whose principal task was to obtain payment of maintenance allowances from parents living abroad and to facilitate the return of children.

32. Ms. ONDRASOVA (Slovak Republic) explained that psychologists and teachers confronted by children with speech or language difficulties were not always capable of arriving at the right diagnosis, because they themselves did not understand the children's mother tongue. Every effort was therefore made to help children learn the official language as soon as possible so that they could enter the regular school system. It was not always easy to provide the youngest children with language training, which was not compulsory at the pre-school stage. Children could learn Slovak at nursery school, but that was only a partial solution since schooling was not compulsory until the age of six. With the assistance of NGOs, therefore, parents were encouraged to send their children to nursery school. Flexible schooling arrangements had also been introduced. For instance, nursery schools sometimes admitted mothers with their children to ease the language problem. Another very effective measure consisted in admitting backward or socially difficult children in an extra class, before primary, in order to facilitate their start in normal schooling. During that preparatory year, the children were individually supervised and assisted and began to learn the subjects taught in primary school. Spreading the content of the first year of primary over two years gave children more time to

learn and to adapt. Throughout that period, the emphasis was placed on cooperation and exchanges between parents, teachers and the children themselves. Assessments of the success rate of children enrolled for that preparatory year showed that two thirds had completed primary education without difficulty. For those who failed, either right at the beginning or after a few years, there were special primary schools. Admittance to such schools was not automatic and children could enter them at different levels according to their school record. Teachers in some of those schools were able to speak the Roma language.

33. The Convention on the Rights of the Child was included in school programmes. It was not easy to judge how effective the teaching was or to what extent children really knew their rights. However, the Convention could be studied as part of various subjects and from different angles and teachers tried to emphasize human rights. The education system had been considerably transformed since the change of regime in 1990. While it had been freed of its ideological yoke, new problems had appeared, such as migration. Although everything was being done to make the system more flexible and humane, it was still a long and complex process.

34. Optional courses on ethics had been introduced in primary and secondary school programmes and students could choose between those courses and religious instruction. The programme had been tested for three years and had been approved. Teacher training institutes and centres also offered courses on ethics and arrangements were being made to allow teachers to follow-up with continuing training. Those who chose to specialize in teaching ethics and civic education received supplementary information and didactic material on human rights, provided with the support of NGOs. Ethics had also become a separate subject in universities, where again NGOs helped to train instructors.

35. Although their working conditions and their relations with the students were not always easy, particularly in the case of children from the Roma community or from underprivileged families, teachers made great efforts to respond to the needs of each child. They frequently extended their working day in order to help children in difficulties. There were various programmes aimed at improving teaching quality and the success rate. Children who had attended school for the minimum period of 10 years without having completed their primary education could move on to more vocational studies. A recently introduced experimental project known as "constructive production" allowed young people aged 15 or more first to obtain a certificate for the completion of primary studies and then to acquire technical skills, over three consecutive but separate years. On completion of the cycle, students received a trainee diploma certifying the level they had attained. During the third year, they also received apprenticeship training.

36. Roma children were also encouraged to pursue secondary studies, for which they received assistance. For instance, they might be enrolled in a boarding school, which considerably reduced their parents' expenses. With regard to the teaching of the Roma language, demand appeared to be limited. A survey of Roma families conducted by the University of Nitra showed that, despite their strong sense of belonging to a community, they did not attach overriding importance to the teaching of their language. However, it was used in support

programmes, particularly in preparatory courses for primary school. It was also used in music and theatre schools. Furthermore, a department of Roma language and culture had been established in the University and trained specialists who could later teach in Roma.

37. Mr. PALOV (Slovak Republic) said that the principle of the best interest of the child was embodied in the Constitution, certain provisions of which were specifically addressed at protecting children, adolescents and pregnant women and gave children born out of wedlock the same rights as legitimate children. The country's family law stipulated that parents had obligations as well as rights, and were responsible for providing their children with the care they needed and for offering a role model. The Penal Code laid down penalties for parents who did not fulfil their obligations or mistreated their children.

38. When a child did not want to testify and if the judge believed that he had sufficient evidence to reach a decision, he did not have to hear the child. Furthermore, an appeal against the decision before a higher jurisdiction was always possible. An Ombudsperson would probably be appointed within the next two years, once the necessary amendment had been made to the Constitution.

39. Encouraging a person to register as Slovak rather than Roma in a census was prohibited. The only reliable figures concerning the Roma population were those provided by the official census. Specific projects were implemented locally to combat discrimination against the Roma. In a village in eastern Slovakia, where there was a high Roma population, the mayor had taken the initiative to serve school meals to Roma children to encourage them to attend school. In the same village, an association was ensuring that any racist act was denounced in the media. Moreover, only 30 of a total of 29,000 offences were of a racist nature. In such cases, the sentences were often not severe enough and, when an inquiry was opened, it was often difficult to prove that an act was specifically racist.

40. Children often knew their rights much better than could be supposed, because they learned about the Convention at school during their ethics courses and also obtained information from other sources, such as the Internet, by themselves.

41. Slovak legislation strictly prohibited corporal punishment in school; school directors and teachers had received instructions to that effect. Parents might be called upon to answer for their acts before a criminal or a civil jurisdiction, according to the seriousness of the psychological or physical consequences of any ill-treatment they had inflicted on their child. If, after examining a child, a specialized doctor concluded that there had been ill-treatment, he had to report the case to the law-enforcement authorities. Children who ran away from an institution were not considered delinquents so long as they had not committed an unlawful act.

42. Mr. DOEK inquired about the situation regarding the neglect or ill-treatment of children, since there was no information on that point in either the report or the written replies.

43. Mr. RABAH asked whether juvenile delinquents were currently detained in prison or placed in a reformatory, whether they were offered the help of a social worker and a lawyer, and how they were treated by the staff of detention centres. What was the exact title of the future law on the administration of juvenile justice and what changes would it introduce?

44. Ms. KARP asked whether there were plans to revoke the provisions concerning status offences under which a minor could be charged for acts which were not considered offences when committed by an adult. Was the bill penalizing sexual exploitation for commercial purposes based on the plan of action of the Stockholm Congress? Would the future amended Penal Code make it an offence to use the services of a prostitute under 18 years of age?

45. Mr. GURAN (Slovak Republic) said that some cases of ill-treatment and neglect had been reported and that the severity of the penalties applied by the courts varied, from a warning to the loss of certain parental rights. An effort was made to take preventive action and in general to improve a child's family environment in order to avoid the need for institutional care.

46. Mr. PALOV (Slovak Republic) said that the country had enacted legislation banning child exploitation for pornographic purposes and the Slovak police collaborated with the police of other European countries to combat the practice. No results had really been achieved, however, as it was difficult to control that type of activity.

47. Minors committed a large number of offences but, in most cases, they were not very serious offences and, since conditions in the country had become more stable over the last two years, the number of cases had not increased. With regard to juvenile justice, the procedure, methods of questioning and penalties were adapted to the needs of young people, and the Penal Code was currently being revised, the legislator's concern being to bring it into conformity with the relevant European conventions. The new text should enter into force in 2002.

48. Ms. TIGERSTEDT-TÄHTELÄ read out the Committee's provisional comments.

49. The CHAIRPERSON noted with satisfaction that the State party had ratified the amendment to article 43.2 of the Convention.

The meeting rose at 6 p.m.